

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

**DIVISION FIVE**

STATE OF MISSOURI,	) No. ED101640
	)
Respondent,	) Appeal from the Circuit Court of
	) St. Charles County
vs.	)
	) Honorable Nancy L. Schneider
JASON R. SHELL	)
	)
Appellant.	) Filed: May 31, 2016

**Opinion Summary**

Jason Shell (Defendant) appeals the judgment of the Circuit Court of St. Charles County, entered after a jury trial, convicting him of one count of distribution of a controlled substance and one count of involuntary manslaughter. On appeal, Defendant argues that: 1) there was insufficient evidence to convict him of distribution of a controlled substance; 2) there was insufficient evidence to convict him of involuntary manslaughter; 3) the trial court erred by not declaring a mistrial, *sua sponte*, during the State's closing argument; 4) the trial court erred by denying his motion to suppress his statements made to the police; and 5) the trial court erred by denying his motion for a trial continuance.

AFFIRMED IN PART, REVERSED AND VACATED IN PART.

**Division Five Holds:**

- 1) The evidence was sufficient to support Defendant's conviction of distribution of a controlled substance.
- 2) The evidence was insufficient to support Defendant's conviction of first-degree involuntary manslaughter.
- 3) The trial court did not err in concluding that Defendant's statements to the police were admissible and, therefore, denying Defendant's motion to suppress.
- 4) The trial court did not plainly err by denying Defendant's motion for a continuance.

Opinion by: Philip M. Hess, J.  
Lisa S. Van Amburg, C.J. and Kurt S. Odenwald, J. concur.

Attorney for Appellant: Samuel E. Buffaloe

Attorney for Respondent: Rachel S. Flaster

<b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</b>
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